

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1 and 3-12 remain pending in this application. Claims 7-12 are withdrawn from consideration. Claim 1 is amended herein to more particularly point out and distinctly claim what the Applicants regard as their invention. Support for the amendments can be found, for example, at pages 7-8 of the specification.

Claims 1 and 3 are rejected under 35 U.S.C. §103(a) as nonpatentable over Rudloff, U.S. Patent No. 3,848,296, in view of Drelich, U.S. Patent No. 3,873,411. Further, claims 5 and 6 are rejected under 35 U.S.C. §103(a) as nonpatentable over Rudloff in view of Drelich as applied to claims 1 and 3 and further in view of Kruszewski, U.S. Patent No. 6,010,785. Claim 4 is rejected under 35 U.S.C. §103(a) as nonpatentable over Rudloff in view of Drelich as applied to claims 1 and 3 and further in view of Merk, U.S. Patent No. 5,603,476.

Applicants respectfully submit that the rejections are overcome, for the reasons stated below.

Rudloff teaches the separation of a fibrous mass into individual fibers, without "*alteration or fatigue of the same*". See Rudloff col. 1, lines 46-48. Rudloff discloses treating a compressed fibrous mass in which foreign objects are eliminated by gravity through a vibrating wire treatment. (see Rudloff col. 1 lines 40-56). It is an expressed object of Rudloff to avoid rupture of individual fibers.

Rudloff's treatment, which is intended separate fibers without altering them, is contrary to, i.e., teaches away from, the fibrillation treatment that is

presently claimed. In contrast, the claimed subject matter employs a fibrillation treatment that effectively fibrillates the individual fibers of a nonwoven filter fabric. Claim 1 states that “said fibrillating results in production of fibrillated individual fibers”. Note that, as shown in Fig. 2 of the present application, the fibrillation treatment of the present application does in fact cause the formation of fibrillated individual fibers as a result of the treatment. Separating individual fibers from a mass of fibers is not fibrillation. Fibrillation means making fibrils, i.e., splitting or fraying fibers to produce fibrils. “Fibril” is the root of “fibrillation”. Kindly consider technical definitions of “fibrillate”, “fibrillation” and “fibril”.

However, the fibrillation treatment which fibrillates the fibers of the nonwoven fabric does not sufficiently remove the harmful dust present in the nonwoven fabric. For this reason, a dust removing treatment step is provided for in the claimed subject matter.

Drelich discloses a method of recovering a reusable fiber, which has been trimmed from a nonwoven fabric, which fiber carries the residue of acrylic bonding resins. It should be understood that Drelich is relevant to art areas in which fibers are coated or impregnated with resins, such art areas including textiles, leather, and paper making. Drelich, col. 1 lines 4-7. In the present art area, where filter fabrics are regenerated, Drelich has no relevance. Not only is Drelich’s field of endeavor entirely different from the Applicant’s field, the material that the skilled artisan wants to remove from the fibers is entirely different. Acrylic bonding resins share nothing in common with harmful dusts.

Moreover, Drelich is not directed to the field of regenerating a filter fabric. Accordingly, the person skilled in the art of regenerating filter fabrics would not look to the non-analogous field of art to which Drelich belongs.

In any event, a combination including Drelich ends up teaching away from the claimed subject matter, as such a combination recovers fibers with a highly specific treatment employing, among other things, saponification, which removes the polyacrylate residue. It is Applicants' position that the Examiner is not free to select and rely upon the teachings of a reference that purportedly support rejection; the Examiner must consider the reference as a whole. The Applicants submit that the saponification treatment of Drelich cannot be ignored, as this treatment is critical and essential to what is taught in this reference. With that in mind, the water rinsing disclosed in Drelich is not for purposes of removing material, but rather for controlling the pH during saponification. See Drelich, col. 4 lines 56-61. Thus, Drelich teaches the removal of foreign matter by chemical processes and other principles of chemistry. This is a direction considerably away from the claimed subject matter, where the fibrillation is non-chemical, and the washing is effected to remove the harmful dust.

Accordingly, the skilled person would not look to Drelich for solutions as to the removal of dust, as the removal process of Drelich is based on saponification and other chemical processes. Further, the combined teachings of the references of Rudloff and Drelich lead to treatments in which the action taken on the nonwoven material is relatively gentle, and does not result in

fibrillated individual fibers realized in the claimed subject matter. Moreover, the treatment of the combined teachings would include a saponification as taught by Drelich, with a pH neutralizing treatment that is not effective at dust removal. Accordingly, the teachings of Rudloff and Drelich are away from the claimed subject matter.

The more specific rejections of claims 4-6 are also overcome, as these rejection derive from the rejection of claims 1 and 3 based on Rudloff and Drelich.

NO FEE DUE

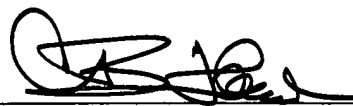
No fee is believed due. If there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By


C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, N.Y. 10168
(212) 986-2340